

- 9) S 70° 49' E, 284.34 feet;
- 10) S 52° 43' E, 247.45 feet;
- 11) S 68° 29' E, 358.25 feet;
- 12) N 51° 55' E, 134.38 feet;
- 13) S 58° 25' E, 379.90 feet to a point in the westerly right-of-way line of said Ranch Road 12, at the northeast corner of said 139.16 acre tract;

THENCE, S 56° 03' 31" E, across said Ranch Road 12, 137.2 feet (calculated), to the POINT OF BEGINNING.

SECTION 3. (a) The legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.

(b) The governor, one of the required recipients, has submitted the notice and Act to the Texas Commission on Environmental Quality.

(c) The Texas Commission on Environmental Quality has filed its recommendations relating to this Act with the governor, the lieutenant governor, and the speaker of the house of representatives within the required time.

(d) All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.

SECTION 4. (a) If this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 7916, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 7916.106 to read as follows:

*Sec. 7916.106. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.*

(b) This section is not intended to be an expression of a legislative interpretation of the requirements of Section 17(c), Article I, Texas Constitution.

SECTION 5. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

Passed by the House on May 12, 2015: Yeas 144, Nays 0, 2 present, not voting; passed by the Senate on May 26, 2015: Yeas 30, Nays 1.

Filed without signature June 17, 2015.

Effective June 17, 2015.

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**CREATION OF THE ARANSAS COUNTY GROUNDWATER  
CONSERVATION DISTRICT; PROVIDING AUTHORITY TO  
ISSUE BONDS AND IMPOSE A TAX; PROVIDING GENERAL  
LAW AUTHORITY TO IMPOSE FEES AND SURCHARGES**

**CHAPTER 671**

H.B. No. 4207

**AN ACT**

**relating to the creation of the Aransas County Groundwater Conservation District;  
providing authority to issue bonds and impose a tax; providing general law authority  
to impose fees and surcharges.**

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Subtitle H, Title 6, Special District Local Laws Code, is amended by adding Chapter 8823 to read as follows:

**CHAPTER 8823. ARANSAS COUNTY GROUNDWATER CONSERVATION  
DISTRICT**

**SUBCHAPTER A. GENERAL PROVISIONS**

*Sec. 8823.001. DEFINITIONS. In this chapter:*

- (1) "Board" means the board of directors of the district.*
- (2) "Director" means a member of the board.*
- (3) "District" means the Aransas County Groundwater Conservation District.*

*Sec. 8823.002. NATURE OF DISTRICT. The district is a groundwater conservation district in Aransas County created under and essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution.*

*Sec. 8823.003. CONFIRMATION ELECTION REQUIRED. If the creation of the district is not confirmed at a confirmation election held before September 1, 2019:*

- (1) the district is dissolved on September 1, 2019, except that:*
  - (A) any debts incurred shall be paid;*
  - (B) any assets that remain after the payment of debts shall be transferred to Aransas County; and*
  - (C) the organization of the district shall be maintained until all debts are paid and remaining assets are transferred; and*
- (2) this chapter expires on September 1, 2021.*

*Sec. 8823.004. INITIAL DISTRICT TERRITORY. The initial boundaries of the district are coextensive with the boundaries of Aransas County, Texas.*

*Sec. 8823.005. APPLICABILITY OF OTHER GROUNDWATER CONSERVATION DISTRICT LAW. Except as otherwise provided by this chapter, Chapter 36, Water Code, applies to the district.*

**SUBCHAPTER A-1. TEMPORARY PROVISIONS**

*Sec. 8823.021. APPOINTMENT OF TEMPORARY DIRECTORS. (a) Not later than the 10th day after September 1, 2015, the Aransas County Commissioners Court shall appoint five temporary directors as follows:*

- (1) one temporary director shall be appointed from each of the four commissioner precincts in the county to represent the precinct in which the temporary director resides; and*
- (2) one temporary director who resides in the district shall be appointed to represent the district at large.*
- (b) If there is a vacancy on the temporary board of directors of the district, the remaining temporary directors shall select a qualified person to fill the vacancy. If, at any time, there are fewer than three qualified temporary directors, the Aransas County Commissioners Court shall appoint the necessary number of persons to fill all vacancies on the board.*
- (c) To be eligible to serve as a temporary director, a person must be a resident of Aransas County and at least 18 years of age.*
- (d) Temporary directors serve until the earlier of:*
  - (1) the time the temporary directors become initial directors as provided by Section 8823.024; or*
  - (2) the date the district is dissolved under Section 8823.003.*

Sec. 8823.022. **ORGANIZATIONAL MEETING OF TEMPORARY DIRECTORS.** As soon as practicable after all the temporary directors have qualified under Section 36.055, Water Code, a majority of the temporary directors shall convene the organizational meeting of the district at a location within the district agreeable to a majority of the directors. If an agreement on location cannot be reached, the organizational meeting shall be at the Aransas County Courthouse. At the meeting, the temporary directors shall elect a chair, vice chair, and secretary from among the temporary directors.

Sec. 8823.023. **CONFIRMATION ELECTION.** (a) The temporary board shall order an election to be held on a uniform election date prescribed by Section 41.001, Election Code, in May of the first even-numbered year after the effective date of this Act to confirm the creation of the district.

(b) The ballot for the election must be printed to permit voting for or against the following proposition: "The creation of the Aransas County Groundwater Conservation District and the imposition of an ad valorem tax in the district at a rate not to exceed one cent for each \$100 of assessed valuation."

(c) The temporary board may include any other proposition on the ballot that it considers necessary.

(d) Except as provided by this section, a confirmation election must be conducted as provided by Sections 36.017(b)–(i), Water Code, and the Election Code. The provision of Section 36.017(d), Water Code, relating to the election of permanent directors does not apply to a confirmation election under this section.

Sec. 8823.024. **INITIAL DIRECTORS.** (a) If creation of the district is confirmed at an election held under Section 8823.023, the temporary directors of the district become the initial directors of the district and serve on the board of directors until permanent directors are elected under Section 8823.025.

(b) The initial directors shall draw lots to determine which two directors serve until the first regularly scheduled election of directors under Section 8823.025 and which three directors serve until the second regularly scheduled election of directors under Section 8823.053.

Sec. 8823.025. **INITIAL ELECTION OF PERMANENT DIRECTORS.** On the uniform election date prescribed by Section 41.001, Election Code, in November of the first even-numbered year after the year in which the creation of the district is confirmed at an election held under Section 8823.023, an election shall be held in the district for the election of two directors to replace the initial directors who, under Section 8823.024(b), serve until that election.

Sec. 8823.026. **EXPIRATION OF SUBCHAPTER.** This subchapter expires September 1, 2021.

#### SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 8823.051. **DIRECTORS; TERMS.** (a) The district is governed by a board of five directors.

(b) Directors serve staggered four-year terms.

Sec. 8823.052. **METHOD OF ELECTING DIRECTORS: COMMISSIONERS PRECINCTS.** (a) The directors of the district shall be elected according to the commissioners precinct method as provided by this section.

(b) One director shall be elected by the voters of the entire district, and one director shall be elected from each county commissioners precinct by the voters of that precinct.

(c) Except as provided by Subsection (e), to be eligible to be a candidate for or to serve as director at large, a person must be at least 18 years of age and a resident of the district. To be a candidate for or to serve as director from a county commissioners precinct, a person must be at least 18 years of age and a resident of that precinct.

(d) A person shall indicate on the application for a place on the ballot:

(1) the precinct that the person seeks to represent; or

(2) *that the person seeks to represent the district at large.*

(e) *A person's eligibility to serve a term as director is not affected when the county commissioners precincts are redrawn after each federal decennial census to reflect population changes by a boundary change that:*

(1) *removes the person's residence from the precinct the person serves; and*

(2) *takes effect during the term for which the person was elected or appointed.*

*Sec. 8823.053. ELECTION DATE. After the creation of the district is confirmed, the district shall hold an election to elect the appropriate number of directors on the uniform election date prescribed by Section 41.001, Election Code, in November of each even-numbered year.*

*Sec. 8823.054. VACANCIES. A vacancy on the board shall be filled by appointment of the board until the next regularly scheduled directors' election. The person appointed to fill the vacancy shall serve only for the remainder of the unexpired term.*

#### **SUBCHAPTER C. POWERS AND DUTIES**

*Sec. 8823.101. PROHIBITION ON DISTRICT USE OF EMINENT DOMAIN. The district may not exercise the power of eminent domain.*

#### **SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS**

*Sec. 8823.151. LIMITATION ON TAXES. The district may not impose ad valorem taxes at a rate that exceeds one cent on each \$100 of assessed valuation of taxable property in the district.*

SECTION 2. (a) The legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.

(b) The governor, one of the required recipients, has submitted the notice and Act to the Texas Commission on Environmental Quality.

(c) The Texas Commission on Environmental Quality has filed its recommendations relating to this Act with the governor, the lieutenant governor, and the speaker of the house of representatives within the required time.

(d) All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.

SECTION 3. This Act takes effect September 1, 2015.

Passed by the House on May 15, 2015: Yeas 139, Nays 0, 2 present, not voting; passed by the Senate on May 26, 2015: Yeas 29, Nays 2.

Filed without signature June 17, 2015.

Effective September 1, 2015.

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## **ABOLISHMENT OF THE TEXAS COUNCIL ON PURCHASING FROM PEOPLE WITH DISABILITIES AND THE TRANSFER OF ITS FUNCTIONS TO THE TEXAS WORKFORCE COMMISSION**

### **CHAPTER 672**

S.B. No. 212

AN ACT